

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JIMMIE L. JOSHUA, JR.,

Plaintiff,

v.

DANE COUNTY STAFF, SGT. R. LURKIN,  
SGT. MCPHERSON, DEPUTY WACHOLZ,  
DEPUTY POQUETT, DEPUTY SHOTLIFF,  
WELLPATH STAFF, NURSE BOBBY,  
NURSE MENDY AND SHERIFF DAVE MAHONEY,

Defendants.  
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ORDER

21-cv-144-bbc

Pro se plaintiff Jimmie L. Joshua, Jr. has filed a civil action under 42 U.S.C. § 1983, alleging that staff at the Dane County jail violated his constitutional rights in various ways. Now he has filed a motion to stay or dismiss the case while he pursues administrative exhaustion. Dkt. #6. Because plaintiff must exhaust his administrative remedies *before* filing suit, 42 U.S.C. § 1997e(a), I cannot stay this case while plaintiff pursues exhaustion. However, I will dismiss plaintiff's claims without prejudice. He may refile his claims after he has exhausted his administrative remedies.

ORDER

IT IS ORDERED that plaintiff Jimmie L. Joshua's motion to voluntarily dismiss his complaint, dkt. #6, is GRANTED. The complaint is DISMISSED WITHOUT PREJUDICE so that plaintiff can exhaust his administrative remedies.

Entered this 22d day of April, 2021.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge